LOS ANGELES COUNTY
WIA Waiver Youth Employment Program (WWYEP)
DIRECTIVE

Number: WIA YD11-03	**Subject: EXTENSION OF TWO SUMMER YOUTH WAIVERS**	
Date: July 15, 2011	**Effective Date: Immediately**	**Page 1 of 2**

TO: WIA YOUTH CONTRACTORS

BACKGROUND:
On June 27, 2011, the Department of Labor (DOL) granted California an extension of two waivers related to summer youth employment activities: (1) a waiver of the common performance measures for summer youth participants co-enrolled in TANF and WIA funded youth programs, and (2) a waiver of provisions under WIA Section 129(c) and Title 20 CFR to allow LWIA staff increased flexibility in program design.

POLICY AND PROCEDURES:
The attached EDD Draft Directive WSD-58 dated July 14, 2011 discusses the two waivers which are effective ***May 1, 2011, through September 30, 2011***. These waivers apply only to youth co-enrolled in TANF and WIA funded youth programs and participating in subsidized summer youth employment activities. Attached is the State of California's EDD Draft Directive WSD-58 dated July 14, 2011, that supersedes Workforce Services Directive WSD10-8, dated September 28, 2010.

WAIVER OF COMMON PERFORMANCE MEASURES
The DOL granted California an extension of a waiver from the use of common measures to allow the State to use the ***work readiness indicator as the sole indicator of performance*** for youth co-enrolled in TANF and WIA funded summer employment activities.

WAIVER TO PROVIDE DESIGN FLEXIBILITY
The DOL granted California an extension of a waiver of statutory and regulatory provisions as follows:

- Waiver of the requirement at WIA Section 129(c)(1)(A) and 20 CFR 664.405(a)(1) to provide objective assessment and the requirement at WIA Section 129(c)(1)(B) and CFR 664.405(a)(2) to develop an individual service strategy (ISS), to ***allow local areas to provide an assessment or ISS as deemed appropriate for such participants***.

- Waiver of the requirement at WIA Section 129(c)(2)(I) and 20 CFR 664.450(b) to provide a minimum of 12 months of follow-up services, to ***allow local areas to provide follow-up services with WIA youth funds as deemed appropriate for such participants***.

ACTIONS:
Los Angeles County WIA Youth Program Contractors should ensure that EDD Draft Directive WSD-58 is reviewed by appropriate staff and that comments be submitted through one of the following ways:

1) **Fax** – WSD, Attention: **Natalie Baldwin** at (916) 654-9753
2) **E-Mail** – Natalie.Baldwin@edd.ca.gov (Include "draft comments" in the subject line)
3) **Mail** – WSD / P.O. Box 826880 / MIC 69 / Sacramento, CA 94280-0001

Comments are due by 7/28/2011.

Comments received after the specified due date will not be considered.

REFERENCES:

- WIA Sections 136 and 189(i)
- Title 20 Code of Federal Regulations (CFR) Sections 661.420 - 430 and 664
- Training and Employment Guidance Letter 30-10, WIA Youth Program Guidance for Program Year 2011 (June 2, 2011)
- Training and Employment Notice 24-09, Joint Letter from the Employment and Training Administration and the U.S. Department of Health and Human Services Administration for Children and Families regarding youth subsidized employment opportunities under the TANF Emergency Contingency Funds (ECF) (January 19, 2010)
- Workforce Services Information Notice WSIN09-59, Subject: Youth Employment Opportunities Under TANF ECF (April 27, 2010)

INQUIRIES:
If you have any questions regarding this directive, please contact Barbara Banck at (213) 351-8924 or via email at bbanck@css.lacounty.gov.

Josie Marquez, Executive Director
Workforce Investment Board

Attachment: EDD Draft Directive WSD-58 dated July 14, 2011

Employment Development Department
State of California

DRAFT DIRECTIVE TRANSMITTAL
WORKFORCE SERVICES

Number: WSDD-58
Date: July 14, 2011

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: EXTENSION OF TWO SUMMER YOUTH WAIVERS

[X] IMMEDIATE ACTION
Bring this draft to the attention of the appropriate staff.

[X] E-MAIL COPY TRANSMITTED
Number of pages (including coversheet): 4
If there are any problems with this transmittal, please call the Pagemaster at 916/654-8008.

SUBJECT MATTER HIGHLIGHTS:

The purpose of this directive is to convey the policy and procedural information pertaining to the extension of two waivers granted to the State of California under the Workforce Investment Act of 1998 (WIA) regarding summer youth employment activities funded with both Temporary Assistance to Needy Families and WIA.

COMMENTS ARE DUE BY: 7/28/11

Comments can be submitted through one of the following ways:

1) **Fax** — WSD, Attention: **Natalie Baldwin** at (916) 654-9753
2) **E-Mail** — Natalie.Baldwin@edd.ca.gov (Include "draft comments" in the subject line)
3) **Mail** — WSD / P.O. Box 826880 / MIC 69 / Sacramento, CA 94280-0001

All comments received by the end of the comment period will be considered before the final directive is issued. The Workforce Services Branch does not respond individually to each comment received. However, a summary of comments will be released with the final directive. **Comments received after the specified due date will not be considered.**

If you have any questions, contact the Workforce Services Division at (916) 654-7799.

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: EXTENSION OF TWO SUMMER YOUTH WAIVERS

EXECUTIVE SUMMARY:

Purpose:

The purpose of this directive is to convey the policy and procedural information pertaining to the extension of two waivers granted to the State of California under the Workforce Investment Act of 1998 (WIA) regarding summer youth employment activities funded with both Temporary Assistance to Needy Families (TANF) and WIA.

Scope:

This directive applies to all Local Workforce Investment Areas (LWIA) and all other recipients of WIA formula funding.

Effective Date:

This directive is effective upon release.

REFERENCES:

- WIA Sections 136 and 189(i)
- Title 20 Code of Federal Regulations (CFR) Sections 661.420 - 430 and 664
- Training and Employment Guidance Letter 30-10, WIA Youth Program Guidance for Program Year 2011 (June 2, 2011)
- Training and Employment Notice 24-09, Joint Letter from the Employment and Training Administration and the U.S. Department of Health and Human Services Administration for Children and Families regarding youth subsidized employment opportunities under the TANF Emergency Contingency Funds (ECF) (January 19, 2010)
- Workforce Services Information Notice WSIN09-59, Subject: Youth Employment Opportunities Under TANF ECF (April 27, 2010)

EDD is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Special requests for services, aids, and/or special formats need to be made by calling (916) 654-8055 (Voice). TTY users, please call the California Relay Service at 711.

STATE-IMPOSED REQUIREMENTS:

This directive contains no State-imposed requirements.

FILING INSTRUCTIONS:

This directive supersedes Workforce Services Directive WSD10-8, dated September 28, 2010. Retain this directive until further notice.

BACKGROUND:

On June 27, 2011, the Department of Labor (DOL) granted California an extension of two waivers related to summer youth employment activities: (1) a waiver of the common performance measures for summer youth participants co-enrolled in TANF and WIA funded youth programs, and (2) a waiver of provisions under WIA Section 129(c) and Title 20 CFR 664 to allow LWIA staff increased flexibility in program design.

POLICY AND PROCEDURES:

Waiver of Common Performance Measures

The DOL granted California an extension of a waiver from the use of common measures to allow the State to use the work readiness indicator as the sole indicator of performance for youth co-enrolled in TANF and WIA funded summer employment activities. The waiver does not apply to summer youth employment activities funded solely with WIA formula funds. The waiver is effective from May 1, 2011, through September 30, 2011.

This waiver impacts all co-enrolled TANF and WIA youth, ages 14 to 21, LWIAs, local TANF agencies, and business partners that employ eligible youth. The LWIAs and TANF agencies can serve co-enrolled low income participants, including those who have barriers to employment, such as out-of-school youth and those most at risk of dropping out; youth in and aging out of foster care; youth offenders and those at risk of court involvement; homeless and runaway youth; children of incarcerated parents; migrant youth; Indian and Native American youth; and youth with disabilities. The LWIAs will offer supportive services, occupational skills training, and other relevant services to youth.

Where TANF and LWIA partnerships are formed and operating, both TANF and WIA youth funds can be used to pay wages for youth who are eligible for both funding sources and co-enrolled in both programs. Each youth must meet the eligible criteria for their appropriate funding source (age, eligibility, etc.). Additionally, both TANF and WIA funding can be used to pay youth wages plus contractor costs to run and supervise the youth as appropriate.

For those older youth that are not expected to return to school, individual service plans and strategies should be documented and the participants should be enrolled in WIA

adult programs or provided further education and training under WIA youth funded activities.

Waiver to Provide Program Design Flexibility

The DOL granted California an extension of a waiver of statutory and regulatory provisions as follows:

- Waiver of the requirement at WIA Section 129(c)(2)(I) and 20 CFR 664.450(b) to provide a minimum of 12 months of follow-up services, to allow local areas to provide follow-up services with WIA youth funds as deemed appropriate for such participants.
- Waiver of the requirement at WIA Section 129(c)(1)(A) and 20 CFR 664.405(a)(1) to provide objective assessment and the requirement at WIA Section 129(c)(1)(B) and CFR 664.405(a)(2) to develop an individual service strategy (ISS), to allow local areas to provide an assessment or ISS as deemed appropriate for such participants.

This waiver is effective May 1, 2011 through September 30, 2011, and applies only to youth co-enrolled in TANF and WIA funded youth programs and participating in subsidized summer youth employment activities. Youth transitioning to year-round WIA youth services after September 30, 2011 must have in place an objective assessment and ISS as required by WIA. This waiver does not apply to summer youth employment activities funded solely with WIA formula funds.

ACTION:

Please bring this directive to the attention of all relevant parties.

INQUIRIES:

If you have any questions, please contact your Regional Advisor at (916) 654-7799.

MICHAEL EVASHENK, Chief
Workforce Services Division

Attachment is available on the Internet:

Waiver Approval Letter from DOL (PDF)